

Section 4. Process to Apply for Bethel Building Permit and Certificate of Occupancy

A. Building Permit Requirement

New structures shall comply with the Town of Bethel construction and building design standards ordinances

B. Application for Permit

Applications for Bethel building permits shall be completed by the applicants and submitted to Council with a copy of the approved Sussex County building permit and with payment of required fees pursuant to the applicable Town ordinances.

C. Lot Area, Width, Depth, and Height Requirements

Lot size, dimension, setback, and height limitations shall be established as defined and adopted by the Town code and found in the Bethel Land Use Ordinance.

D. Construction Standards

The Town recognizes the same building standards as Sussex County, Delaware which are the International Building Standards as the formal construction code for any new construction.

E. Requirements for Applications

1. Application for building permit approval shall be submitted to Council at least 20 days prior to the next regular meeting of the Council. The Council normally meets on the first Tuesday of every month. Any such forms submitted less than 20 days prior to the next regular meeting of the Council may not be considered until the next following Council meeting.

2. The application shall be accompanied by fees in the amount specified in applicable Bethel ordinances.

3. The applicant shall provide the Town with 4 signed copies of the building permit application.

a. The applicant shall include a recent lot survey clearing showing lot lines, building locations, landscaped areas, pedestrian walks, easements, abutting streets, details showing plan to remove storm water from the building site and where the storm water will be directed, as well as any special site features.

b. A Landscape Plan shall be provided indicating species of trees, bushes, and plants to be used for landscaping and their approximate placement along with their warranty and replacement terms in accordance with the ANSI A-300 Standards. New trees must have a diameter greater than 2 inches. The plan shall warrant that invasive species shall not be used in landscaping and that measures will be taken to eliminate invasive species if discovered during construction.

c. After construction, all open space must be seeded with lawn grass or sod cover.

4. The Council may make a decision on the application or decide to submit it to the Planning and Zoning Commission for consideration and recommendation to the Council.

a. If the Council decides to review the application without referring it to the Planning and Zoning Commission, the Council has 90 days from the date it is on Council's agenda to make a decision on the application unless the Council decides to extend this deadline for justified reasons.

b. If the Council refers the building application to the Planning and Zoning Commission for review, this Commission shall respond with its recommendation to Council within 90 days of its receipt by the Commission.

c. When the Commission recommendations have been forwarded to Council for final approval, the Council shall have 90 days to make its decision and to notify the applicant of its decision.

5. If the Council disapproves of the building permit application, the reasons for disapproval shall be submitted to the applicant in writing. The

reasons for disapproval shall be remedied prior to resubmission of the application.

6. Requirements for Certificate of Occupancy

A Certificate of Occupancy shall be required for occupancy of any new construction or change in the use of an existing structure.

7. Issuance of a Certificate of Occupancy

Certificates of Occupancy shall be granted to the Applicant upon completion of all proposed activities, proof of all required inspections and evaluations by the appointed code enforcement officer and State and County agencies and proof of payment of all fees and penalties as outlined in this ordinance or other Bethel ordinances. Certificates of Occupancy shall be filed with the Town Council within thirty (30) days of issuance.

8. Expiration of Permits

Unless otherwise provided for in the Town of Bethel Ordinances, any permit obtained by the Applicant is valid for one year and may be renewed by a designee of the Council prior to its expiration for one additional year. Any property subject to a lien or found delinquent in payment of property taxes shall not be issued a permit.

9. Remedies

a. For any and every violation of the provisions of this ordinance, the owner, general agent, contractor, or applicant shall be subject to a civil penalty for each day of violation not to exceed two hundred fifty (\$250.00) per day for each violation.

b. For any violations of the provisions of this ordinance, the Bethel Town Council may require the violations be corrected and/or cease and desist and may seek equitable relief.